

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT



NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT AND THE WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

<p>To:</p> <p>OKABE, Masao No. 602, Fuji Bldg. 2-3, Marunouchi 3-chome Chiyoda-ku Tokyo 1000005 JAPAN</p>	<p style="text-align: center;">Date of mailing (day/month/year)</p> <p style="text-align: center;">20/09/2005</p>
<p>Applicant's or agent's file reference</p> <p>05517989W001</p>	<p>FOR FURTHER ACTION See paragraphs 1 and 4 below</p>
<p>International application No.</p> <p>PCT/JP2005/012268</p>	<p>International filing date (day/month/year)</p> <p style="text-align: center;">27/06/2005</p>
<p>Applicant</p> <p>CANON KABUSHIKI KAISHA</p>	

1. The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Fascimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
 no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Reminders**

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

<p>Name and mailing address of the International Searching Authority</p> <p>European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016</p>	<p>Authorized officer</p> <p>Johannes Van Brummelen</p>
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(See notes on accompanying sheet)

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the International application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 05517989W001	FOR FURTHER ACTION		see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/JP2005/012268	International filing date (day/month/year) 27/06/2005	(Earliest) Priority Date (day/month/year) 28/06/2004	
Applicant CANON KABUSHIKI KAISHA			

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (See Box II).

3. Unity of invention is lacking (see Box III).

4. With regard to the title,

the text is approved as submitted by the applicant.

the text has been established by this Authority to read as follows:

5. With regard to the abstract,

the text is approved as submitted by the applicant.

the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 6

as suggested by the applicant.

as selected by this Authority, because the applicant failed to suggest a figure.

as selected by this Authority, because this figure better characterizes the invention.

b. none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/JP2005/012268

Box No. IV Text of the abstract (Continuation of item 5 of the first sheet)

A method of manufacturing an ink jet head includes a process of forming a photo-degradable positive type resist layer on a substrate having energy generating elements, a process of forming a structure which becomes an ink flow path by exposing and developing the photodegradable positive type resist layer, a process of coating the substrate having said structure with a negative type resist layer, a process of forming ink discharge ports in the negative type resist layer, and process of forming the ink flow path by removing said structure, wherein the photodegradable positive type resist layer includes an acrylic copolymer composition, containing at least a unit obtained from (meta) acrylic ester and further containing a unit obtained from (meta) acrylic acid. The acrylic copolymer composition contains the (meta) acrylic acid unit at a proportion of 5 to 30 weight %, and weight average molecular weight of the acrylic copolymer ranges from 50000 to 300000.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/JP2005/012268

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 B41J2/16

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B41J

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 814 380 A (CANON KABUSHIKI KAISHA) 29 December 1997 (1997-12-29) page 14, line 26 – line 29 -----	1-12
A	EP 0 734 866 A (CANON KABUSHIKI KAISHA) 2 October 1996 (1996-10-02) example 3 -----	1, 12
A	EP 1 380 425 A (CANON KABUSHIKI KAISHA) 14 January 2004 (2004-01-14) paragraphs '0025!, '0042! -----	1, 12
A	EP 1 380 423 A (CANON KABUSHIKI KAISHA) 14 January 2004 (2004-01-14) paragraphs '0020!, '0021!, '0033!, '0069! -----	1, 12



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

• Special categories of cited documents :

- A* document defining the general state of the art which is not considered to be of particular relevance
- E* earlier document but published on or after the international filing date
- L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- O* document referring to an oral disclosure, use, exhibition or other means
- P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

8 September 2005

Date of mailing of the international search report

20/09/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL – 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl.
Fax: (+31-70) 340-3016

Authorized officer

Bardet, M

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/JP2005/012268

Patent document cited in search report	Publication date	Patent family member(s)		Publication date
EP 0814380	A 29-12-1997	JP 2960608 B2 JP 5330066 A EP 0814380 A2 AT 175279 T AT 197741 T DE 69322812 D1 DE 69322812 T2 DE 69329702 D1 DE 69329702 T2 EP 0573023 A1 US 5458254 A US 5945260 A		12-10-1999 14-12-1993 29-12-1997 15-01-1999 15-12-2000 11-02-1999 10-06-1999 28-12-2000 10-05-2001 08-12-1993 17-10-1995 31-08-1999
EP 0734866	A 02-10-1996	DE 69603639 D1 DE 69603639 T2 EP 0734866 A2 JP 3524258 B2 JP 8323985 A US 6461798 B1		16-09-1999 13-04-2000 02-10-1996 10-05-2004 10-12-1996 08-10-2002
EP 1380425	A 14-01-2004	JP 2004046217 A CN 1475350 A EP 1380425 A1 TW 221122 B US 2004131957 A1		12-02-2004 18-02-2004 14-01-2004 21-09-2004 08-07-2004
EP 1380423	A 14-01-2004	JP 2004042650 A CN 1475352 A EP 1380423 A1 TW 225448 B US 2004072107 A1		12-02-2004 18-02-2004 14-01-2004 21-12-2004 15-04-2004

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

<p>Applicant's or agent's file reference see form PCT/ISA/220</p>		<p>Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)</p>	
<p>International application No. PCT/JP2005/012268</p>	<p>International filing date (day/month/year) 27.06.2005</p>	<p>Priority date (day/month/year) 28.06.2004</p>	
<p>International Patent Classification (IPC) or both national classification and IPC B41J2/16</p>			
<p>Applicant CANON KABUSHIKI KAISHA</p>			

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk - Pays Bas
Tel. +31 70 340 - 2040 Tx: 31 651 epo nl
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Authorized Officer

Bardet, M

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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2005/012268

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 a sequence listing
 table(s) related to the sequence listing
 - b. format of material:
 in written format
 in computer readable form
 - c. time of filing/furnishing:
 contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/JP2005/012268

**Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or
industrial applicability; citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes: Claims	6-11
	No: Claims	1-5,12
Inventive step (IS)	Yes: Claims	
	No: Claims	1-12
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V:

1. Reference is made to the following document:

D1: EP-A-0 814 380 (CANON KABUSHIKI KAISHA) 29 December 1997 (1997-12-29)

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1 to 5 and 12 is not new in the sense of Article 33(2) PCT.

- 2.1 The document D1 discloses (the references in parentheses applying to this document):

a method of manufacturing an ink jet head which includes a discharge port (7) for discharging an ink droplet, an ink flow path (made by removal of 4), communicated with the discharge port, and an energy generating element (2) for discharging the ink droplet from the discharge port, the method for manufacturing an ink jet head comprising:

- a process of forming a photodegradable positive type resist layer on a substrate having the energy generating element (before fig. 2, see page 7, lines 40 to 42),
- a process of forming a structure (4) which becomes the ink flow path by exposing and developing the photodegradable positive type resist (fig. 2 see page 7, lines 40 to 42),
- a process of coating the substrate having the structure which becomes the ink flow path with a negative type resist layer (see fig. 3),
- a process of forming the ink discharge port in the negative resist layer (see fig. 4 and 5), and
- a process of forming the ink flow path communicated with the discharge port by removing the structure which becomes the ink flow path,

wherein the photo degradable positive type resist includes an acrylic copolymer composition, the acrylic copolymer composition containing at least a unit obtained from (meta) acrylic ester (here methylmethacrylate, see embodiment 9) as a main content, the acrylic copolymer composition further containing a unit obtained from (meta) acrylic acid (methacrylic acid), the acrylic copolymer composition contains the (meta) acrylic acid unit at a proportion of 18 weight% (see explanation below), and the weight average molecular weight of the acrylic copolymer is 150000.

Thus claim 1 is not novel in the sense of Article 33(2) PCT.

Explanation of the 18 weight% of (meta) acrylic acid unit in the copolymer:

Methylmethacrylate has the following formula: $C_5H_8O_2$, and methacrylic acid is $C_4H_6O_2$. Thus, their weight ratio is 100/86. The document teaches that their copolymerization ratio is 8/2, therefore the weight% of (meta) acrylic acid unit is $(2 \times 86 \times 100) / ((8 \times 100) + (2 \times 86)) = 18\%$.

2.2 Document D1 also discloses all the additional features of claims 2 to 5 and 12.

3. Dependent claims 6 to 11 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:

3.1 Claims 6 to 10 relate to the composition of the developing solution used in the process of forming the structure which becomes the ink flow path. It is well-known in the art to use an alkaline solution when developing an acid, and this therefore does not involve an inventive step (claim 6). The additional features of claims 7 to 10 relate to mere choices of compounds among several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.

3.2 The additional feature of claim 11 consists in the selection of a smaller range of weight%: 5 to 15 weight%. Though document D1 only describes one value, such a selection can only be regarded as inventive, if it presents unexpected effects or properties in relation to the rest of the range. However, no such effects or properties are indicated in the application. Hence, no inventive step is present in the subject-matter of claim 11.

Re Item VIII:

1. The application does not meet the requirements of Article 6 PCT, because claims 1 to 5 and 11 are not clear.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/JP2005/012268

Indeed, these claims mention **(meta)** acrylic ester and/or **(meta)** acrylic acid. The usual terms are **(meth)** acrylic ester and **(meth)** acrylic acid, with "**(meth)**" meaning "acrylic or methacrylic".

Moreover in claim 2, R1 and R3 are said to be hydrogen -thus acrylic ester/acid-, alkyl groups with 1 carbon -thus methacrylic ester/acid-, but also alkyl groups with 2 or 3 carbons. This is normally not covered by the wording "**(meth)** acrylic ester/acid", thus leading to unclarity.

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